

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Roanoke Division

ROBERT J. COLLIER,

Plaintiff,

v.

LAND & SEA RESTAURANT COMPANY,  
LLC d/b/a FRANKIE ROWLAND'S  
STEAKHOUSE

Defendant/Third Party Plaintiff,

Case No.: 7:13-cv-104

v.

PERFORMANCE FOOD GROUP, INC.  
d/b/a PERFORMANCE FOOD SERVICE –  
VIRGINIA,

Third Party Defendant/Fourth Party Plaintiff,

WEAVER FRESH SEAFOOD & PRODUCE,

Third Party Defendant,

v.

SAM RUST SEAFOOD, INC.

Third Party Defendant and  
Fourth Party Defendant

**MOTION OF THIRD PARTY DEFENDANT SAM RUST SEAFOOD,  
INC. FOR SUMMARY JUDGMENT AS TO SECOND AMENDED THIRD PARTY  
COMPLAINT OF DEFENDANT AND THIRD PARTY PLAINTIFF LAND & SEA  
RESTAURANT COMPANY, LLC**

For the reasons stated in the Memorandum that accompanies this Motion, the Court should grant Sam Rust Seafood, Inc.'s Motion for Summary Judgment and all other relief to which Sam Rust Seafood, Inc. may be entitled.

SAM RUST SEAFOOD, INC.  
By: /s/ C. Jay Robbins, IV  
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**CERTIFICATE**

I hereby certify that on March 27, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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**CERTIFICATE OF MAILING**

I hereby certify that a true copy of the foregoing was mailed to Weaver Fresh Seafood & Produce, c/o E. Newman Weaver, Registered Agent, 2713 Old Charleston Road, Georgetown, SC 29440, on March 28, 2014.

\_\_\_\_\_/s/ C. Jay Robbins, IV